

Wetlands Bureau Decision Report

Decisions Taken
11/16/2009 to 11/22/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-00147 DURANT, PAUL & MARY
SEABROOK Tidal Buffer Zone

Requested Action:

Perform construction activities within 3,411 sq. ft. (2,924 sq. ft. permanent and 487 sq. ft. temporary impacts) of previously developed/disturbed upland tidal buffer zone/sand dune to remove the existing dwelling and construct a new single family home with appurtenant landscaping and a pool. Approximately 7,500 sq. ft. of sand dune resource area on the lot will remain undisturbed and, in addition, 4,386 sq. ft. of vegetated sand dune will be constructed on the easterly exposure of the property.

Conservation Commission/Staff Comments:

Seabrook Conservation Commission has expressed concerns about ownership of subject parcel and status of the Town of Seabrook as abutters to parcel of Tax Map 21/ Lot No. 6-20.

These issues are resolved.

Inspection Date: 06/05/2009 by Frank D Richardson

Inspection Date: 09/18/2009 by Frank D Richardson

APPROVE PERMIT:

Perform construction activities within 3,411 sq. ft. (2,924 sq. ft. permanent and 487 sq. ft. temporary impacts) of previously developed/disturbed upland tidal buffer zone/sand dune to remove the existing dwelling and construct a new single family home with appurtenant landscaping and a pool. Approximately 7,500 sq. ft. of sand dune resource area on the lot will remain undisturbed and, in addition, 4,386 sq. ft. of vegetated sand dune will be constructed on the easterly exposure of the property.

With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc. Environmental Consultants dated 11/08, as received by DES on January 27, 2009.
2. NH DES Wetlands Bureau Southeast Region staff and the Seabrook Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of areas within NH DES Wetlands Bureau Jurisdiction for lot development, driveways, landscaping or other construction activities.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on sand dune areas.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Only native, indigenous sand dune plant species will be used in the sand dune restoration/creation area and elsewhere on this property.
8. All construction activities associated with the sand dune restoration/construction area shall occur before April 1 and/or after August 31 in any year for the protection of potential use of this area by Piping Plovers.
9. Any Piping Plover nesting activity observed on site shall be reported immediately to the US Fish & Wildlife Service, the NH Fish & Game Department, the NH DES Wetlands Bureau Southeast Region staff and the Seabrook Conservation Commission.
10. All site work associated with the sand dune areas on this property shall be suspended immediately if Piping Plovers are observed to be nesting in the environs.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in sand dunes.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has coordinated activities proposed for the redevelopment of this previously developed lot, having sand dune components and the potential to provide nesting areas for the Piping Plover, with the US Fish & Wildlife Service and the NH Fish & Game Department.

6. DES Staff conducted a field inspection of the proposed project on June 05, 2009 and September 18, 2009. Field inspections determined the proposed vegetated sand dune construction will compensate for impacts to this previously developed lot.

7. NH DES Wetlands Bureau Administrative Rule Env-Wt 304.04(a), Setback From Property Lines, is waived with the finding that this project as proposed and approved is compliant with the criteria for granting a waiver as set forth in Env-Wt 204.04(a)(1)&(2).

2009-01641 NH DEPT OF TRANSPORTATION
EPSOM Unnamed Stream

Requested Action:

Remove a 13 ft. long bridge and replace with a 20 ft. clear span bridge using a reinforced concrete slab, abutments, wingwalls and realign 120 feet of stream impacting 5,660 sq. ft. (1,510 sq. ft. temporary) of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 10/07/2009 by Gino E Infascelli

APPROVE PERMIT:

Remove a 13 ft. long bridge and replace with a 20 ft. clear span bridge using a reinforced concrete slab, abutments, wingwalls and realign 120 feet of stream impacting 5,660 sq. ft. (1,510 sq. ft. temporary) of riverine wetlands. NHDOT project #15266.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 5/09, as received by the Department on July 27, 2009.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau prior to any construction. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. This permit is contingent upon:
 - a. The submission of stamped engineering plans relative to and specifically for the bank stabilization design in accordance with Rule Env Wt 404.04 and shall be received prior to any construction and
 - b. The project plans shall incorporate the utilization of root wads tied into and along the bank as discussed at the October 15, 2008 Natural Resource Meeting held at the NHDOT.
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specified in the plans.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall not be located within surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.

17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

19. The impacts associated with the temporary work shall be restored as soon as practicable following construction.

20. Natural material to be reused as and in the brook bed.

21. The stone fill to "protect" the abutments shall be the minimal amount necessary.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects impacting more than 200 linear feet of stream channel and its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. The project was discussed on September 17, 2007 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT). There were no concerns regarding endangered or threatened plants and wildlife although the request was made to retain the natural streambed material.

6. The Department of Environmental Services (DES) Staff conducted a field inspection of the project area on Oct. 7, 2009. Field inspection determined that project will have temporary impacts and reduce flooding and erosion. Improvements and replacement of the bridge along with stabilization of the banks will improve water quality and will not have a significant increase in loading relative to the size of the developed areas within the watershed.

7. DES Staff finds that this project will not have a significant impact on these riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2009-02049

REICH REVOC TRUST, ROBERT

WOLFEBORO Lake Winnepesaukee

Requested Action:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft seasonal walkway in a "U" configuration and install a seasonal boatlift in the center slip on an average of 966 ft of frontage on Back Bay in Wolfeboro.

APPROVE PERMIT:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft seasonal walkway in a "U" configuration and install a seasonal boatlift in the center slip on an average of 966 ft of frontage on Back Bay in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 17, 2009, as received by DES on September 1, 2009.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the structures shall extend more than 40 feet from the shoreline at full lake elevation.
6. Any concrete pad installed for the purpose of anchoring the north pier shall be limited to no larger than 4 ft x 6 ft in size and shall be located landward of the normal highwater line.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. Pursuant to RSA 482-A:11, V, Administrative Provisions, "A series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole."
2. The Applicant has filed an application identified as Wetlands File # 2009-02050 for a 3 slip dug-in boathouse requiring 44 cu yd of dredge from public waters and a seasonal 2 slip pier on the abutting property identified as Wolfeboro tax map 204, lot 15.
3. In accordance with RSA 482-A:11, V this project, Wetland File # 2009-02049, and that proposed under Wetlands File # 2009-02050, shall be considered in aggregate and shall be classified as major projects per Rule Env-Wt 303.02, (d), construction of docking facilities providing 5 or more slips in total and Rule Env-Wt 303.02, (g) removal of more than 20 cu yd of material from public waters.
4. The need for the impacts proposed in Wetland File # 2009-02049 has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that proposal submitted under Wetland File # 2009-02049 is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the proposed project submitted under Wetland File # 2009-02049.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on, or adversely affect the values of, Back Bay, as identified under RSA 482-A:1.
8. The property to be impacted by the proposal submitted under Wetland File # 2009-02049 has an average of 966 feet of shoreline frontage along Back Bay, Lake Winnepesaukee.
9. A maximum of 13 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
10. The docking facilities proposed under Wetland File # 2009-02049 will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Env-Wt 402.13 for this property.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-01337 BLUEFIN DEVELOPMENT
NOTTINGHAM Unnamed Stream

Requested Action:

Amend permit to reflect new larger culvert design and reduction of impact from 2,200 sq. ft. to 1,100 sq. ft. for construction of a shared driveway to two lots.

APPROVE AMENDMENT:

Dredge and fill 1,100 sq. ft. (40 linear ft.) of perennial stream to install a 8' wide x 4' high open bottom box culvert for construction

of a shared driveway crossing to two lots.

With Conditions:

1. All work shall be in accordance with revised plans by Jones and Beach Engineers dated 08/26/09, as received by the Department on 09/09/09.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent upon receipt and approval by DES of a dewatering plan for the project.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Env-Wt 303.03 (I), projects that disturb less than 200 linear ft. of a perennial stream.
2. The amended design reduces the project impact and increases culvert size which will be beneficial to Blandings Turtle passage.
3. The Nottingham Conservation Commission has reviewed the revised plans and supports the proposal.

2009-00854 KAKE PRESERVE LLC, ATTN: ERIC SKINNER
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill 9,600 sq. ft. of previously disturbed palustrine scrub-shrub wetlands for commercial/industrial lot development within an existing Industrial District.

A Wildlife Enhancement and Management Plan for the conservation of New England Cottontail Rabbit habitat will be implemented under the direction of the NH Fish & Game Department on a portion of this 4.36 acre parcel of land.

Conservation Commission/Staff Comments:

In a letter dated May 27, 2009: "The [Londonderry Conservation] Commission voted at it (sic) last meeting to recommend approval of the application as presented."

APPROVE PERMIT:

Dredge and fill 9,600 sq. ft. of previously disturbed palustrine scrub-shrub wetlands for commercial/industrial lot development within an existing Industrial District.

A Wildlife Enhancement and Management Plan for the conservation of New England Cottontail Rabbit habitat will be implemented under the direction of the NH Fish & Game Department on a portion of this 4.36 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated 05-04-09, as received by DES on May 07, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.

3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or other construction activities .
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Per request of the NH Fish & Game Department, the following conditions are placed on this permit relative to the Wildlife Enhancement and Management Plan for the conservation of New England Cottontail Rabbit habitat, prepared by Fraggie Rock Environmental Services, dated October 6, 2009 as received by the DES on October 07, 2009:
 - a) A restriction will be placed on the deed to prevent removal of vegetation within the Wildlife Enhancement and Management Area (depicted in green on the plan) and to allow NH F&G unencumbered access and management rights;
 - b) The deed restriction language will be approved by NH F&G;
 - c) Brush will not be piled on site;
 - d) Vegetation will not be removed from the Wildlife Enhancement and Management Area except as directed by NH F&G;
 - e) All plantings in the Wildlife Enhancement and Management Area must be approved by NH F&G;
 - f) A shrub buffer along the northern edge of the property will be maintained or created under the direction of NH F&G to connect Harvey Road frontage with the Wildlife Enhancement and Management Area.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01534 MILLS, RICHARD & DONNA
MEREDITH Lake Winnepesaukee

Requested Action:

Remove existing seasonal docking facilities and construct a U-shaped permanent docking facility consisting of two 6 ft x 35 ft piling piers connected by a 4 ft x 11 ft walkway, drive 4 tie-off pilings and two 3 piling ice clusters, and install a 14 ft x 30 ft canopy on approximately 399 ft of frontage on Lake Winnepesaukee.

DENY PERMIT:

Remove existing seasonal docking facilities and construct a U-shaped permanent docking facility consisting of two 6 ft x 35 ft piling piers connected by a 4 ft x 11 ft walkway, drive 4 tie-off pilings and two 3 piling ice clusters, and install a 14 ft x 30 ft canopy on approximately 399 ft of frontage on Lake Winnepesaukee.

With Findings:

Standards for Approval

1. Pursuant to Rule Env-Wt 302.04, (a), (1), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impact by plan and example.
2. Pursuant to Rule Env-Wt 302.04 (a), (2), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
3. Pursuant to Rule Env-Wt 302.04, (d) Requirements for Application Evaluation, the department shall not grant a permit if there is

- a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction;
4. In accordance with Rule Env-Wt 402.06, Permanent Docks, an application for a permanent dock shall be approved only when an applicant establishes that the proposed site for the dock is exposed to a design fetch of at least 1 mile between compass headings 245 to 340 degrees, or a design fetch of at least 2 miles between compass headings 341 to 0 or 0 to 244 degrees, as measured from true north or the applicant documents the occurrence of 1 foot high waves as measured from trough to crest in water at least 3 feet deep, at the location of the proposed dock on at least 4 separate occasions, lasting 4 hours each, between the dates of May 15 and October 15.
 5. Pursuant to Rule Env-Wt 501.02, (a), Additional Data Requirements, the applicant shall submit a detailed and dimensioned, or scaled, drawing or drawings showing an overview of the property and proposed impact areas, and all existing and proposed structures and all other relevant features necessary to clearly define the project in relation to the property lines.
 6. Pursuant to Rule Env-Wt 501.02, (c), Additional Data Requirements, in addition to the information required in (a), for projects affecting surface water shoreline, the applicant shall supply the general shape of the shoreline including the length of frontage, the full water body elevation, the footprint of all existing and proposed structures on the property, and the distance from existing and proposed work to abutting property lines.
 7. The proposed project is classified as a minor impact project pursuant to Rule Env-Wt 303.03 (d) construction of a 3-slip, permanent docking facility.

Findings of Fact

1. On July 21, 2009, the DES Wetlands Bureau received an application to remove an existing seasonal pier and construct a 3-slip, piling supported docking facility with a seasonal canopy, two ice clusters, and 4 tie-off pilings on property identified as Meredith tax map U2, lot 11 (the "Property").
2. A copy of the deed submitted with the application states that the Property has approximately 390 ft of frontage along Lake Winnepesaukee. A partial copy of a stamped surveyed plan also submitted with the application indicates that the Property in fact has 308.88 feet of frontage. The Meredith Tax map and documents submitted with previous Wetlands applications for the Property all indicate that the property has 309 ft of frontage rather than 390 ft as stated in the deed.
3. The proposed conditions plan submitted with the application on July 15, 2009 is labeled as being drawn with a scale of 1 in being equal to 40 ft. The length of frontage as scaled off the plan would be 312 ft.
4. On July 22, 2009, a Notice of Administratively Incomplete Standard Dredge and Fill Application Letter was issued to the Applicant stating that additional fees and an existing conditions plan would be necessary to complete the application.
5. On or around September 2, 2009 the Applicant forwarded a check for additional filings fees and a plan to the Wetlands Bureau in response to the Notice of Administratively Incomplete Standard Dredge and Fill Application Letter. The plan submitted was a photocopy of a plan already submitted with the application. The plan failed to show the existing conditions of the frontage.
6. The site of the proposed permanent pier does not meet the design fetch requirement for permanent pier construct as outlined in Rule Env-Wt 402.06.
7. The Applicant failed to submit documentation of the occurrence of 1 ft high waves to support the need for the permanent pier as required pursuant to Rule Env-Wt 402.06 for those sites that do not meet the necessary design fetch.
8. The photographs on file in Wetlands Application # 1998-00065 clearly show an existing retaining wall, beach, and the previously approved "h" shaped seasonal docking structure.
9. Plans submitted to the current application fail to show the retaining and the beach that exist on the frontage.
10. The plans submitted with the application indicate a different pier on the frontage than that which was previously permitted.

Rulings in Support of the Decision

1. The Applicant has failed to provide the documentation of wave activity as required pursuant to Rule Env-Wt 402.06 for those sites that does not meet the design fetch requires established in Rule Env-Wt 402.06. Therefore, a permanent dock cannot be approved at this site.
2. The Applicant has failed to demonstrate the need for the proposed impacts by plan and example as required per to Rule Env-Wt 302.04, (a), (1) and, therefore, the application is denied in accordance with Rule Env-Wt 302.04, (d).
3. The Applicant has failed to demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site as required per to Rule Env-Wt 302.04, (a), (2) and, therefore, the application is denied in accordance with Rule Env-Wt 302.04, (d).
4. The Applicant has failed to provide plans that meet the requirement of Rules Env-Wt 501.02, (a) and (c) and, therefore, the application is denied.

2009-01635 HUCKINS, THOMAS & MICHELLE
FARMINGTON Unnamed Wetland

Requested Action:

Dredge and fill 5,086 sq. ft. of wetlands over four locations, including installation of 4 culverts, for construction of a roadway to a four-lot subdivision.

APPROVE PERMIT:

Dredge and fill 5,086 sq. ft. of wetlands over four locations, including installation of 4 culverts, for construction of a roadway to a four-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Geometres Blue Hills dated 10/09/09, as received by DES on 10/19/09.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate of non-tidal wetlands which exceed the criteria of Env-Wt 303.04 (f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands to reach buildable upland portions of the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has limited the crossings to the narrowest locations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity.
5. The Farmington Conservation Commission did not report.

2009-01856 WARREN, TOWN OF
WARREN Baker River

Requested Action:

Impact 1, 900 square feet (175 linear feet) of the bank of Baker River, a perennial stream, for the emergency stabilization of the bank to protect Bixby Road.

APPROVE PERMIT:

Impact 1, 900 square feet (175 linear feet) of the bank of Baker River, a perennial stream, for the emergency stabilization of the bank to protect Bixby Road.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. entitled Slope Stabilization Plan (Sheet C1) dated August 05, 2009 as received by DES on August 14, 2009.
2. The permittee shall designate a qualified professional who will be responsible for monitoring construction.
3. If work is occurring on property not owned by the Town or outside of the existing road right-of-way then the Town shall obtain construction easements from affected landowners and shall supply copies of the easements to DES Wetlands File No. 2009-01856 prior to construction.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. This project is for an emergency repair and is necessary to stabilize the bank, repair flood damage, and prevent future damage to the road.
5. The project area is part of the Baker River Restoration Project which has the goal to alleviate risks to existing infrastructure from accelerated fluvial erosion, restore sediment transport competence, and improve aquatic and riparian habitats.
6. The emergency repairs are not expected to impact the future restoration of the area.
7. The application stated that the rip-rap stabilization will have not impact to the abutting lands across the river and that the energy transfer and wave action will be directed to the sand bar located in the middle of the river.
8. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau, or

the Conservation Commission.

2009-02631 TAGERMAN, WILLIAM
NEW DURHAM Merrymeeting Lake

Requested Action:

Dredge no more than 20 cu yd of leaf litter and organic debris from 1,800 sq ft of lake bed on 112 ft of frontage on Merrymeeting lake in New Durham.

APPROVE PERMIT:

Dredge no more than 20 cu yd of leaf litter and organic debris from 1,800 sq ft of lake bed on 112 ft of frontage on Merrymeeting lake in New Durham.

With Conditions:

1. All work shall be in accordance with plans by as received by DES on November 4, 2009.
2. The volume of material removed from the lake bed shall not exceed 20 cu yd.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during drawdown.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cu yd of material from the lakebed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

MINIMUM IMPACT PROJECT

2005-00408 SUNCOOK HIGHWAY ASSOCIATES LLC, ATTN: JEFFREY D SH
EPSOM Unnamed Wetland

Requested Action:

Approve name change to: Suncook Highway Associates, LLC, 30 Glen St., Lawrence MA 01843 per request received 11/16/09.

Previous owner:

Hot Rocks Holding LLC.

APPROVE NAME CHANGE:

Change condition #3 to allow temporary impact for access to do test pits for the purpose of obtaining septic approval, where permanent impact has been approved on permit to: Dredge and fill 2,344 square feet to install a 24 inch x 24 linear foot HDPE culvert to cross a palustrine forested, seasonally flooded wetland on a 20.58 acre parcel for access to a proposed residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by True Engineering dated 02/02/2005, as received by the Department on 03/02/2005.
2. This permit is contingent on the approval and conditions of the NPDES permit.
3. Permanent impacts are contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2009-01458 YOUNG, ANDREW
EFFINGHAM Unnamed Stream

Requested Action:

Dredge and fill 537 sq. ft. (26 linear ft.) of perennial stream to install a 24" x 26' culvert for construction of driveway crossing to a single family house lot.

APPROVE PERMIT:

Dredge and fill 537 sq. ft. (26 linear ft.) of perennial stream to install a 24" x 26' culvert for construction of driveway crossing to a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated 5/19/2009, as received by DES on 7/9/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Silt fencing must be removed once the area is stabilized.
9. Work shall be done during low flow, and during period of low fish migration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a single family building lot.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The stream must be crossed to access the buildable upland area of the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") reported that, although there was an NHB record present in the vicinity, NHB did not expect that it would be impacted by the project.

2009-01802 OMEARA, EDWARD
RYE Atlantic Ocean

Requested Action:

Remove and regrade 2,500 sq. ft. of accumulated beach sand along 85 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. No sand shall be removed from the beach for disposal elsewhere.

Conservation Commission/Staff Comments:

No comments were received from the Rye Conservation Commission on this application.

APPROVE PERMIT:

Remove and regrade 2,500 sq. ft. of accumulated beach sand along 85 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. No sand shall be removed from the beach for disposal elsewhere.

With Conditions:

1. All work shall be in accordance with plans by Edward O'Meara (applicant) dated 7/27/09, as received by DES on August 07, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. No sand shall be removed from the beach for disposal elsewhere.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-02018 LANCASTER, DAVID
DOVER Tidal Buffer Zone

Requested Action:

Impact a total of 1,265 sq. ft. in the previously developed upland tidal buffer zone to construct an addition on an existing house in place of an existing attached garage, and remove existing asphalt or concrete paved areas and revegetate.

APPROVE PERMIT:

Impact a total of 1,265 sq. ft. in the previously developed upland tidal buffer zone to construct an addition on an existing house in place of an existing attached garage, and remove existing asphalt or concrete paved areas and revegetate.

With Conditions:

1. All work shall be in accordance with revised plans by McEneaney Survey Associates Inc., and West Environmental Inc. dated 10/28/2009, as received by DES on 11/5/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line that are not minor or major pursuant to Env-Wt 303.03 or 303.02, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The majority of the construction will be located in the footprint of the existing attached garage and existing concrete patio.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") reported on 8/18/2009 that, although there is a record of an occurrence for the project vicinity, the NHB does not expect that the occurrence will be impacted by the proposed project.
5. DES finds the project to be consistent with RSA 483-B, the Comprehensive Shoreland Protection Act, as the dwelling is a conforming structure, and the applicant has demonstrated that expansion of the structure will result in a 95 square foot overall reduction in impervious surface over that now existing.

2009-02021 TWEEN RIVERS FARM LLC
DOVER Fresh Creek

Requested Action:

Construct a 78 linear ft. x 4' (348 sq. ft.) wide wooden walkway in the developed upland tidal buffer zone to access existing dock over steep shoreline.

APPROVE PERMIT:

Construct a 78 linear ft. x 4' (348 sq. ft.) wide wooden walkway in the developed upland tidal buffer zone to access existing dock over steep shoreline.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine dated 6/16/2009, as received by DES on 8/31/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor per Env-Wt 303.02 or 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The topography is steep making access to the dock very difficult. The walkway will provide safe and stable access to the dock.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The species reported by the NH Natural Heritage Bureau as occurring in the greater project vicinity will not be impacted by the project.
5. The project is consistent with the requirements of RSA 483-B, the Comprehensive Shoreland Protection Act.
6. The Dover Conservation Commission recommends approval of the project.

FORESTRY NOTIFICATION

2009-02501 KINCAID REVOCABLE TRUST
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 10, Lot# 66

2009-02555 BESWICK, KIRK
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont Tax Map 226, Lot# 56

2009-02658 GOODALE, SCOTT & PAMELA
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Tax map 4, Lot# 2-32

2009-02659 USDA FOREST SERVICE
STARK Unnamed Stream

COMPLETE NOTIFICATION:
Stark Tax Map 412, Lot# 48

2009-02660 USDA FOREST SERVICE
STARK Unnamed Stream

COMPLETE NOTIFICATION:
Stark Tax Map 413, Lot# 48

2009-02661 PINEKNOLL LIMITED PARTNERSHIP AGREEMENT
BARTLETT Unnamed Stream

COMPLETE NOTIFICATION:
Bartlett Tax Map 1RT16A, Lot# 151R00

2009-02662 HARRIS CENTER
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map U14, Lot# 8

2009-02663 CLARK, JEFFREY
LYME Unnamed Stream

COMPLETE NOTIFICATION:
Lyme Tax Map 409, Lot# 79

2009-02664 EFG 93 TRUST, PATRICIA HARRIS TTEE
ALEXANDRIA Unnamed Stream

COMPLETE NOTIFICATION:
Alexandria Tax Map 420, Lot# 27

2009-02665 NH DRED
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Hillsboro Tax Map 8, Lot# 144

2009-02666 SAAB, LOUIS
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map 9, Lot# 11

2009-02667 MEBEL, PETER
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:

Sutton Tax Mp 10, lot# 817,377

2009-02668 KIBBE, CARLTON & P FITZPATRICK
HINSDALE Unnamed Stream

COMPLETE NOTIFICATION:

Hinsdale Tax Map 29, Lot# 75 & 76

2009-02669 NEW HAMPSHIRE CUSTODIAL TRUST, EG MORGAN TTEE
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:

Farmington Tax Map R31, Lot# 34

2009-02670 WEST, ROBERT
CHICHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Chichester Tax Map 3, Lot# 8

2009-02671 DODGE, SEAN
LITTLETON Unnamed Stream

COMPLETE NOTIFICATION:

Littleton Tax Map 99, lot# 23

2009-02672 LAKEVILLE SHORES INC
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:

Fitzwilliam Tax Map 17, Lot# 4

2009-02673 SHAFER, ANDREW
ENFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Enfield Tax Map 16, Lot# 24 & 25

-Send to Governor and Executive Council-

2009-02675 WARD, TERRY
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Brookfield Tax Map 15, Lot# 1E

2009-02677 GADIEL, PETER & JAN
NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Nottingham Tax Map 74 ,Lot# 1 & 2

2009-02679 ZILER, DAVID
LITTLETON Unnamed Stream

COMPLETE NOTIFICATION:
Littleton Tax Map 98, Lot# 3

2009-02680 THORNE, GEORGE & SUE
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeborough Tax Map 231, lot# 15

2009-02682 CROSS, JAMES
GROTON Unnamed Stream

COMPLETE NOTIFICATION:
Groton Tax Map 3, lot# 17

2009-02683 INSLEY, JAMES
BROOKFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Brookfield Tax Map 28, Lot# 9

EXPEDITED MINIMUM

2009-01261 VARNEY, JEAN
RYE Atlantic Ocean

Requested Action:

Impact an additional 20 sq. ft. within the previously disturbed 100-foot tidal buffer zone for construction of a deck, entry/walkway, fence, natural plantings, and the removal of the existing paved driveway to be replaced with pervious crushed stone which provides a net reduction (520 sq.ft.) of impervious surface within the protected shoreland on an single-family residential lot with approximately 55 linear feet of frontage on the Atlantic Ocean.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:

Impact an additional 20 sq. ft. within the previously disturbed 100-foot tidal buffer zone for construction of a deck, entry/walkway, fence, natural plantings, and the removal of the existing paved driveway to be replaced with pervious crushed stone which provides a net reduction (520 sq.ft.) of impervious surface within the protected shoreland on an single-family residential lot with approximately 55 linear feet of frontage on the Atlantic Ocean.

With Conditions:

1. Amend permit to include new plan: All work shall be in accordance with plans by Ambit Engineering, Inc. dated September 29, 2009, as received by DES on October 17, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. No more than 32% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Env-Wt 304.04, the applicant received written concurrence from NH DRED for the impacts that will occur within 20-feet of the property line boundary.

2009-02161 CARSON, STEPHEN
DEERING Deering Resevior

Requested Action:

Repair in kind 70 linear feet of retaining wall, construct a 115 sq ft perched beach with 6 ft wide access stair over the bank, on Deering Reservoir, Deering.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE PERMIT:

Repair in kind 70 linear feet of retaining wall, construct a 115 sq ft perched beach with 6 ft wide access stair over the bank, on Deering Reservoir, Deering.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning revision dated October 29, 2009, as received by DES on October 29, 2009.
2. Repair shall maintain existing size, location and configuration.
3. Work shall be done during drawdown.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
6. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 919.5). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
7. The steps installed for access to the water shall be located completely over the bank and be of seasonal construction type.
8. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls.

**2009-02450 THOMSON, THOMAS & SHEILA
ORFORD Unnamed Stream**

Requested Action:

Dredge and fill approximately 2,000 square feet of wetlands to install culverts for forestry management access.

APPROVE PERMIT:

Dredge and fill approximately 2,000 square feet of wetlands to install culverts for forestry management access.

With Conditions:

1. All work shall be in accordance with plans and narratives for "Czernin Woodlot" and "Pickerel Pond" as received by DES on October 20, 2009.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be done during periods of low or non-flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(g) Installation of a culvert, pole, or rock ford and associated fill to permit vehicular access to a piece of property for forest management.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.

2009-02526

BROWNE FAMILY TRUST

TUFTONBORO Unnamed Stream

Requested Action:

Proposal to dredge and fill approximately 260 sq. ft. (temporary) of seasonal stream for replacement of a failing 15 in. x 24 ft. CMP culvert with a 18 in. x 24 ft. plastic culvert within an existing driveway.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene on the proposed project.

APPROVE PERMIT:

Dredge and fill approximately 260 sq. ft. (temporary) of seasonal stream for replacement of a failing 15 in. x 24 ft. CMP culvert with a 18 in. x 24 ft. plastic culvert within an existing driveway.

With Conditions:

1. All work shall be in accordance with plans and narratives by Folsom Design Group, as received by DES on October 22, 2009.

2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

4. Work shall be done during low flow.

5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The change in dimensions (increased culvert diameter) is minimal and does not require additional wetlands or stream impacts.

TRAILS NOTIFICATION

2009-02504 DRED, JENNIFER CODISPOTI
DERRY Unnamed Stream

COMPLETE NOTIFICATION:
Derry Tax Map 7A, Lot# 37

2009-02611 SHARON CONSERVATION COMMISSION, TOWN OF
SHARON Unnamed Stream

COMPLETE NOTIFICATION:
Sharon Tax Map 4, Lot# 7

ROADWAY MAINTENANCE NOTIF

2009-02699 MEREDITH, TOWN OF
MEREDITH Unnamed Stream

PERMIT BY NOTIFICATION

2009-02123 MONSON, DEREK/JESSICA
WINDHAM Cobbetts Pond

Requested Action:

Repair of existing retaining wall.

Conservation Commission/Staff Comments:

Con Com signed PBN form on Sept 10, 2009

PBN IS COMPLETE:

Repair of existing retaining wall.

With Findings:

Repair of existing retaining wall pursuant to Env-Wt 506.01(a)(2).

2009-02196 MILKE, DAN
BRIDGEWATER Unnamed Stream

Requested Action:

PBN complete to impact approximately 150 sq. ft. of intermittent stream (includes approximately 100 sq. ft. of temporary impacts) to install 2 full span bridges (outside of wetlands, streambed and banks) and one 24 in. x 20 ft. culvert for a driveway access and temporary impacts for a residential utility line installation at each stream crossing.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the PBN form waiving their right to intervene on the proposed project.

PBN IS COMPLETE:

PBN complete to impact approximately 150 sq. ft. of intermittent stream (includes approximately 100 sq. ft. of temporary impacts) to install 2 full span bridges (outside of wetlands, streambed and banks) and one 24 in. x 20 ft. culvert for a driveway access and temporary impacts for a residential utility line installation at each stream crossing.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae) Installation of residential utility lines and associated temporary impacts to permit utility services for a single family building lot and Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. There will be two full span bridges with no jurisdictional impacts and all temporary impacts for the utility line will be restored with natural streambed materials.

2009-02256 BOUCHER III, JOHN
WAKEFIELD Lovell Lake

Requested Action:

In kind repair of existing retaining wall.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

In kind repair of existing retaining wall.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 506.01(a)(2) repair of existing retaining walls.

2009-02516 MAGUIRE, NORMAN
NEW DURHAM Merrymeeting Lake

Requested Action:

Repair existing docking structures.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair existing docking structures.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02524 GATH, LOUISE
DEERING Deering Reservoir

Requested Action:

Repair existing 42 linear ft of retaining walls in the dry during draw down.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair existing 42 linear ft of retaining walls in the dry during draw down.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 506.01(a)(2) repair of existing retaining walls.

2009-02551 HASSLER, KARN
ALTON Lake Winnepesaukee

Requested Action:

Repair existing docking structure.

Conservation Commission/Staff Comments:

Con Com signed PBN form on 10/23/2009

PBN IS COMPLETE:

Repair existing docking structure.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02553 WATSON, WILLIAM
ALTON Lake Winnepesaukee

Requested Action:

In kind repair of existing docking structures.

Conservation Commission/Staff Comments:

Con Com signed PBN form on 10/22/2009

PBN IS COMPLETE:

In kind repair of existing docking structures.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02635 PAYNE, BRIAN
STRAFFORD Unnamed Stream

Requested Action:

Impact approximately 160 sq. ft. of roadside drainage ditch/seasonal stream to install a 36" x 20' culvert for driveway access to a single family residence.

PBN IS COMPLETE:

Impact approximately 160 sq. ft. of roadside drainage ditch/seasonal stream to install a 36" x 20' culvert for driveway access to a single family residence.

2009-02696 NEW LONDON TRUST, JAMES BOLGER
NEW LONDON Unnamed Wetland

Requested Action:

Dredge and fill \pm 300 sq. ft. of palustrine forested wetlands for the installation 15-ft. x 30-ft. driveway culvert for driveway access to an existing single family building lot (\pm 15.3 acres).

PBN IS COMPLETE:

Dredge and fill \pm 300 sq. ft. of palustrine forested wetlands for the installation 15-ft. x 30-ft. driveway culvert for driveway access to an existing single family building lot (\pm 15.3 acres).

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.

2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. There is an existing 18-inch CMP culvert and 8-inch PVC pipe on the subject parcel in emergent wetlands disturbed by agricultural activities in the past.

2009-02697 WONG, MO
NEWINGTON Unnamed Stream

Requested Action:

Impact 350 sq. ft. of wetlands to replace an existing 24" x 70' long culvert in the driveway of a commercial parking lot.

PBN IS COMPLETE:

Impact 350 sq. ft. of wetlands to replace an existing 24" x 70' long culvert in the driveway of a commercial parking lot.

CSPA PERMIT

2009-01071 KENT ISLAND TRUST, CHARLESBARNABY TTEE
MOULTONBOROUGH Squam Lake

Requested Action:

Remove an existing concrete block piers with pre-cast concret piers to support an existing garage.

APPROVE PERMIT:

Remove an existing concrete block piers with pre-cast concret piers to support an existing garage.

With Conditions:

1. All work shall be in accordance with plans by Richard Benton dated May 15, 2009 and received by the Department of Environmental Services ("DES") on June 3, 2009.
2. No more than 23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 6,787 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,697 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-01107 OLIVER, ANTHONY & RACHEL
SALEM Arlington Lake

Requested Action:

Impact 798 sq ft for the purpose of constructing an addition to an existing residential dwelling and installing a new septic system.

Conservation Commission/Staff Comments:

Initially, the agent made an error on the shoreland application worksheet. A portion of the proposed addition will be constructed over a pre-existing impervious area, therefore, upon completion of the project, the net impervious area will not exceed 20% and incorporating stormwater management and waterfront buffer enhancement is not necessary.

APPROVE PERMIT:

Impact 798 sq ft for the purpose of constructing an addition to an existing residential dwelling and installing a new septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Meisner Brem Corporation received by the Department of Environmental Services ("DES") on November 16, 2009.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.
13. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

2009-01730 WEIDNER, DANIEL
WOLFEBORO Lake Wentworth

Requested Action:

Impact 2,242 sq ft for the purpose constructing a foundation under an existing single-family dwelling and expanding an existing deck.

APPROVE AMENDMENT:

Impact 2,242 sq ft for the purpose constructing a foundation under an existing single-family dwelling and expanding an existing deck. AMENDMENT APPROVED: Shoreland Impact Permit 2009-01730 is amended to allow a change in dimensions of the initially proposed deck.

With Conditions:

1. All work shall be in accordance with plans by Daniel F. Weidner dated August 10, 2009 and received by the Department of Environmental Services ("DES") on August 10, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. No more than 18.84% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The stumps and root structures of any trees cut within the waterfront buffer shall be left intact in the ground in order to comply with RSA 483-B:9,V,(a),(2),(B)
8. No segment of the Waterfront Buffer that currently meets the minimum standards of RSA 483-B shall be made non-conforming in the Post-Construction condition.
9. The temporary impacts within the waterfront buffer needed for construction access shall be replanted with native vegetation within 30 days of completion of the proposed foundation.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-02106 THURLOW, RACHEL
RINDGE Coontocook River

Requested Action:

Impact 6111 sq. ft. for the construction of a 1568 sq. ft. home with screened-in porch and decks.

APPROVE PERMIT:

Impact 6111 sq. ft. for the construction of a 1568 sq. ft. home with screened-in porch and decks.

With Conditions:

1. All work shall be in accordance with plans by Michael Finley dated August 6, 2009 and received by the Department of Environmental Services ("DES") on September 16, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 13.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 36,430 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 16,661 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02233 CRONENWETT, JACK/DEBRA
ENFIELD Mascoma Lake

Requested Action:

Approve name change to: Jack and Debra Cronenwett, 7 Juniper Lane, Hanover, NH 03755 per request received 11/17/09.

Previous owner: Robert and Nancy Gerlack.

APPROVE NAME CHANGE:

Impact 2,550 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans submitted by David S. Deck and received by the Department of Environmental Services ("DES") on September 29, 2009.
2. No more than 1.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent upon all necessary approvals from the DES Subsurface Systems Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2009-02593 GUYER, DALE/SHANNON
WASHINGTON Highland Lake

Requested Action:

Impact 3,176 sq ft to construct a second floor on the existing footprint of existing camp, and construct a 225 sq ft addition to the

existing footprint of the existing camp.

APPROVE PERMIT:

Impact 3,176 sq ft to construct a second floor on the existing footprint of existing camp, and construct a 225 sq ft addition to the existing footprint of the existing camp.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated October 12, 2009 and received by the Department of Environmental Services ("DES") on November 2, 2009.
2. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 31,144 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 17,160 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02597 KENNEDY, SHANE
WAKEFIELD Belleau Lake

Requested Action:

Impact 995 sq ft to build a detached 2 car garage, built over existing portion of driveway.

APPROVE PERMIT:

Impact 995 sq ft to build a detached 2 car garage, built over existing portion of driveway.

With Conditions:

1. All work shall be in accordance with plans by Landtech dated July 1, 2009 and received by the Department of Environmental Services ("DES") on November 2, 2009.
2. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 443 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,215 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not

previously permitted or grandfathered.

2009-02638 SEGUIN, ALEXANDRA
BARNSTEAD Halfmoon Pond

Requested Action:

Impact 1,190 sq ft to construct a foundation under existing house and replace existing stairs.

APPROVE PERMIT:

Impact 1,190 sq ft to construct a foundation under existing house and replace existing stairs.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental, LLC dated October 1, 2009 and received by the Department of Environmental Services ("DES") on November 4, 2009.
2. No more than 4.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 8,285 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,825 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02640 FOSTER, NORA
NEW HAMPTON Winona Lake

Requested Action:

Impact 16,195 sq ft to construct new primary residence, expand driveway, and construct path to water.

APPROVE PERMIT:

Impact 16,195 sq ft to construct new primary residence, expand driveway, and construct path to water.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated October 31, 2009 and received by the Department of Environmental Services ("DES") on November 5, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 19.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 9,720 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,732 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02641 WALKER, DAVID/DEBRA
HARTS LOCATION Saco River

Requested Action:

impact 207 sq ft to install state approved septic system.

APPROVE PERMIT:

impact 207 sq ft to install state approved septic system.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Co., Inc. dated October 9, 2009 and received by the Department of Environmental Services ("DES") on November 6, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than .4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 15,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,220 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02642 GAROFOLI, DONNA
CONCORD Turkey River

Requested Action:

impact 1,057 sq ft to construct a 622 sq ft addition, remove 591 sq ft of impervious features, and reconstruct 88 sq ft of walkway to a pervious state.

APPROVE PERMIT:

impact 1,057 sq ft to construct a 622 sq ft addition, remove 591 sq ft of impervious features, and reconstruct 88 sq ft of walkway to a pervious state.

With Conditions:

1. All work shall be in accordance with plans by Daniel J. Mullen, LLS dated November 2, 2009 and received by the Department of Environmental Services ("DES") on November 6, 2009.
2. No more than 33.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 42 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02691 MERWIN, LINDA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 7,992 sq ft to remove existing structures and construct a new guest house, septic system, and well at same location.

APPROVE PERMIT:

Impact 7,992 sq ft to remove existing structures and construct a new guest house, septic system, and well at same location.

With Conditions:

1. All work shall be in accordance with plans by Norman E. Larson, AIA dated October 28, 2009 and received by the Department of Environmental Services ("DES") on November 12, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 29,869 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 19,385 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02693 DRINKWATER, JOHN
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 2,000 sq ft to excavate under existing structure to add perimeter drains.

APPROVE PERMIT:

Impact 2,000 sq ft to excavate under existing structure to add perimeter drains.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated October 31, 2009 and received by the Department of Environmental Services ("DES") on November 13, 2009.
2. No more than 38.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,570 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,624 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02715 DESCOTEAU, JOHN
CANAAN Indian River

Requested Action:

Impact 2,128 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

APPROVE PERMIT:

Impact 2,128 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans and photos submitted by John Descoteau received by the Department of Environmental Services ("DES") on October 15, 2009.
2. No more than .36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

- contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
 9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
 10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 11. Silt fencing must be removed once the area is stabilized.
 12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

CSPA PERMIT W/WAIVER

2009-00511 HOAG ISLAND TRUST, MATHEW LINCOLN
SANDWICH Squam Lake

Requested Action:

Request amendment to include the construction of a 120 sq ft deck.

APPROVE AMENDMENT:

Impact 910 sq ft for the purpose of constructing a 56 sq ft addition to an existing 3 bedroom single-family dwelling and adding a new deck.

WAVIER APPROVED: Pursuant to RSA 483-B:11 II, RSA 483-B:9,II is hereby waived to allow construction of the proposed project within the Setback.

With Conditions:

1. All work shall be in accordance with plans by Beam Construction Associates Inc. revised May 1, 2009 and received by the Department of Environmental Services ("DES") on May 11, 2009 and amended plans dated August 10, 2009 and received by the Department of Environmental Services August 19, 2009.
2. This approval includes a waiver of RSA 483-B:9,II and, therefore, shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No new impervious surfaces shall be constructed until the planting needed to bring the waterfront buffer segments up to the minimum points required has been completed and the 2 proposed water bars have been installed as shown on the approved plans.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No more than 1.62% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
10. The project as proposed will leave approximately 36,102 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 27,038 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Sqam Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The project as proposed would result in 56 sq ft addition to the landward side of an existing non-conforming primary structure.

4. The applicant has proposed to plant each segment of the waterfront buffer the 50 ft minimum standards and install 2 water bars and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.